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s/ Rachel Potash  
Rachel Potash

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:  
**SIMON BAILEY, ET AL**

Serial No.: 10/825,923

Confirmation No.: 8936

Filed: April 15, 2004

For: **ALPHA SUBSTITUTED CARBOXYLIC  
ACIDS**

Group Art Unit: 1614

Examiner: Not Yet Assigned

Honorable Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

**UNDER 37 C.F.R. § 1.97(b) or 1.97(c)**

**37 CFR § 1.97(b)**

- ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; before the mailing of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

**37 CFR § 1.97(c)**

- ☐ The Information Disclosure Statement submitted herewith is being filed after three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); after three months of the date of entry of the national stage as set forth in § 1.491 in an international application; after the mailing of a first Office Action on the merits; or after the mailing of a first Office Action after the filing of a request for continued examination under § 1.114, but before the mailing date of (1) a Final Action under § 1.113; (2) a Notice of Allowance under § 1.311; or (3) an action that otherwise closes prosecution in the application. The Commissioner is hereby authorized to charge the fee as set forth in § 1.17(p) to Deposit Account Number 500329.

- ☐ Applicant requests that the Examiner consider the following copending applications:

Application Serial No.	Filing Date

- ☐ Copies of these copending applications are enclosed.
- ☒ Applicant hereby requests consideration of the Information Disclosure Statement, USPTO form 1449, submitted herewith. Copies of the cited references, except as noted below, are enclosed.
- ☐ This application is a continuation, divisional or continuation-in-part of Serial No. [REDACTED]. Copies of the cited references, if not enclosed, are available in the file of the parent application or parents thereof.
- ☒ This application was filed after June 30, 2003, or entered U.S. national stage under 35 U.S.C. § 371, after June 30, 2003. Copies of U.S. Patents and U.S. Patent Application Publications are not enclosed. (1276 OG 55).
- ☐ Applicant hereby requests consideration of the enclosed International Search Report, which was received in a related international patent application.

The Commissioner is hereby authorized to charge any fee deficiency, including any fee required under 37 C.F.R. § 1.17(p), or credit any overpayment, to Deposit Account Number 500329. A duplicate copy of this form is enclosed.

Respectfully submitted,

Date: August 5 '04



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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/825,923
Filing Date	04/15/2004
First Named Inventor	Simon Bailey
Art Unit	1614
Examiner Name	TBA
Attorney Docket Number	PC25631A

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	Cite No. <sup>1</sup>	DOCUMENT NUMBER  Number-Kind Code <sup>2</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	AA	JP7-316144	12-05-1995	Sankyo Co. Ltd.		
	AB	WO 02/098840 (including English Abstract)	12-12-2002	Eisai Co., Ltd.		
	AC	EP1394147 (Equivalent to WO 02/098840)	03-03-2004	Eisai Co., Ltd.		

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	AD	DENMARK, et al., "(E)-3-(Trimethylsilyl)-2-propen-1-ol. An Improved Preparation," <i>Journal of Organic Chemistry</i> , 1982, 4595-4597, Vol. 47.	
	AE	DORLAND, et al., <i>Dorland's Illustrated Medical Dictionary</i> , 2000, 29 <sup>th</sup> Edition, 555 and 755, W. B. Saunders Company, Philadelphia.	
	AF	GEARING, et al., "Interaction of the Peroxisome-proliferator-activated Receptor and Retinoid X Receptor," <i>Proceedings of the National Academy of Science, USA</i> , 1993, 1440-1444, Vol. 90.	
	AG	HEYMAN, N., et al., "9-cis Retinoic Acid is a High Affinity Ligand for the Retinoid X Receptor," <i>Cell</i> , 1992, 397-406, Vol. 68.	

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DATE CONSIDERED:

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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	AH	INUI, S., et al., "Synthesis and Thermal Properties of Antiferroelectric Liquid Crystals Having Phenylalkanoate and Phenylalkenoate Moieties," <i>Mol. Cryst. Liq. Cryst. Sci. Technol. Sect. A.</i> , 1994, 1-10, Vol. 239.	
	AI	ISSEMAN, N. et al., "Activation of a Member of the Steroid Hormone Receptor Superfamily by Peroxisome Proliferators," <i>Nature</i> , 1990, 645-650, Vol. 347.	
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	AM	PATINI, et al., "Bioisosterism: A Rational Approach in Drug Design," <i>Chemical. Reviews</i> , 1996, 3147-3176, Vol. 96.	
	AN	REDDY, et al., "Carcinogenesis by Hepatic Peroxisome Proliferators: Evaluation of the Risk of Hypolipidemic Drugs and Industrial Plasticizers to Humans," <i>Critical Reviews in Toxicology</i> , 1983, 1-58, Vol. 12, No. 1.	
	AO	SCHOW, et al., "Diastereoselective Synthesis of the Antibiotic L-Azatyrosine," <i>Journal of Organic Chemistry</i> , 1994, 6850-6852, Vol. 59.	
	AP	STEDMAN, et al., <i>Stedman's Medical Dictionary</i> , 26th Edition, Williams & Wilkins, Baltimore.	
	AQ	THAVONEKHAM, B., et al., "A Practical Synthesis of Ureas from Phenyl Carbamates," <i>Synthesis</i> , 1997, 1189-1194, Vol. 10.	
	AR	TOMASSY, et al., "Stereoselective Routes to E and Z Straight-Chain Primary Allylic Amines," <i>Synthetic. Communications</i> , 1998, 1201-1214, Vol. 28, No. 7.	
	AS	VAN BENTHEM, et al., "A Practical Synthesis of Geometrically Pure N-Boc-Protected Primary Allylic Amines," <i>Synlett Letters</i> , 1994, 368-370.	

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